

REMARKS/ARGUMENTS

Claims 1-7, 10, 12-19, 21-27, 29-31 and 34 were last examined. Claims 1-7, 10, 12-19, 21 and 22 are allowed. Claims 26-27 and 29-31 stand rejected. Claims 26 and 30 have been amended herein. Claims 23-25 and 34 are canceled herein. Applicants believe no new matter is added by these amendments.

Rejections Under 35 U.S.C. § 101

Claims 26-27 and 29-31 are rejected under 35 USC 101 as allegedly being directed at non-statutory subject matter. The Examiner indicates that the rejection could be overcome by amending the claims to recite that a result of the method or coded steps is outputted to a display or by including a physical transformation. Applicants have amended claims 26 and 30 to recite that the estimated copy number of the SNP is output to a display and claim 30 to recite a coded step for outputting the estimated copy number of the SNP to a display. Support for this may be found in FIG. 1 and on page 30, lines 19-20.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 408 731-5768.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No.01-0431. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: March 13, 2008

Respectfully submitted,

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